

**STATE OF
COLORADO****Carter - DNR, Jocelyn <jocelyn.carter@state.co.us>**

Falk Pit #1 M-2010-043 Conversion Application Incompleteness Notice

Carter - DNR, Jocelyn <jocelyn.carter@state.co.us>

Thu, Mar 21, 2024 at 3:09 PM

To: masonchamberlain@yahoo.com

Cc: "Ebert - DNR, Jared" <jared.ebert@state.co.us>, Corie Flores <corieflores@gmail.com>

Good afternoon Mr. Chamberlain,

Today, March 21, 2024, the conversion application that was submitted on March 11, 2024, was deemed as incomplete. Please see the attached letter for details on what items are needed before the application can be filed with the Division. You have sixty (60) days from March 21, 2024 to submit all necessary documents that the Division needs for the application to be considered filed. If, at the end of the sixty day period, the application has not been determined to be complete and filed, the Division may deny the application and terminate the application file.

If you have any questions, please let me know.

Thanks,
Jocelyn

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Jocelyn Carter
Environmental Protection Specialist
Division of Reclamation, Mining, and Safety
1313 Sherman St Suite 215
Denver, CO 80203
office: (303) 866-3567 x 8110
cell: (720) 666-1065

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March 21, 2024

Mason Chamberlain
Chamberlain Concrete
36415 U. S. Highway 385
P.O. Box 425
Wray, CO 80758

**RE: Falk Pit #1 - File No. M-2010-043,
Permit Conversion Application (CN-1)
Conversion, 9.9 acres to 11.9 acres permitted**

Dear Mason Chamberlain:

On March 11, 2024, the Division of Reclamation, Mining and Safety received your 110c Construction Materials Reclamation Permit Conversion application for the Falk Pit #1, which is located in Phillips County. Preliminary review of the information received determined that the following additional information must be received before the Division can consider your application complete and technical review can begin. Thus, your application is incomplete for the purposes of filing as of March 21, 2024.

1. There are no incidental commodities listed on Page 1 of the application form, and an end use of incidental commodities is provided. Please clarify if there are any incidental commodities that will be extracted during the mining operation and provide an updated Page 1 of the application.
2. Provide corporate seal on the certification page of the conversion application or write "No Seal". Please provide a revised Page 8 of the application.
3. Provide proof of the Board of County Commissioners and the Board of Supervisors of the local Conservation District received the required notification per Rule 1.6.2(1)(a). Proof of notice shall be in the form of a return receipt of a Certified Mailing or date-stamped copy of the notice acknowledging receipt by the appropriate local Board.
4. Resubmit Exhibit R – Proof of Filling with County Clerk and Recorder to include the date the application was placed with the Phillips County Clerk and Recorder, per Rule 1.6.2(1)(c) and Rule 6.4.18.
5. Provide documentation showing the operator has the right to enter and conduct mining operations from both the surface and subsurface owners of the affected land. In accordance with Rule 6.4.14, this may include "a copy of a lease, deed, abstract of title, a current tax receipt, or a signed statement by the Landowners and acknowledged by a Notary Public stating that the Operator/Applicant has legal right to enter to conduct mining and reclamation."
6. The Exhibit B, C, and F maps submitted with CN1 have not been updated to account for the additional two acres proposed with the revision. Please revise the Exhibits B, C, and F maps. These maps must



comply with Rule 6.2.1(2) and the applicable Rules 6.4.2 (Exhibit B), 6.4.3 (Exhibit C), and 6.4.5 (Exhibit F).

You have sixty (60) days from March 21, 2024 to submit all necessary documents that the Division needs for the application to be considered filed. If, at the end of the sixty-day period, the application has not been determined to be complete and filed, the Division may deny the application and terminate the application file.

This letter shall not be construed to mean that there are no other technical deficiencies in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

If you have any questions, please contact me by telephone at 303-866-3567 x 8110, or by email at Jocelyn.carter@state.co.us.

Sincerely,



Jocelyn L. Carter
Environmental Protection Specialist

Ec: Jared Ebert, DRMS

